

**VIRTUAL/TELECONFERENCE
CONTROLLED SUBSTANCES BOARD
MEETING MINUTES
MARCH 10, 2023**

PRESENT: Troy Alton, Subhadeep Barman, Yvonne Bellay, Alan Bloom, Doug Englebert, Sandy Koresch, Robert Weinman, John Weitekamp, Lemuel Yerby

STAFF: Tom Ryan, Executive Director; Whitney DeVoe, Legal Counsel; Nilajah Hardin, Administrative Rules Coordinator; Katlin Schwartz, Bureau Assistant; and other DSPS Staff

CALL TO ORDER

Doug Englebert, Chairperson, called the meeting to order at 9:32 a.m. A quorum was confirmed with nine (9) members present.

ADOPTION OF AGENDA

MOTION: John Weitekamp moved, seconded by Subhadeep Barman, to adopt the Agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF JANUARY 13, 2023

MOTION: Troy Alton moved, seconded by Subhadeep Barman, to adopt the Minutes of January 13, 2023 as published. Motion carried unanimously.

LEGISLATURE AGENDA REQUEST: STATUS OF KRATOM

MOTION: Alan Bloom moved, seconded by Troy Alton, that under the eight-factor analysis in Wis. Stats. §961.11(1m), the Board concludes that kratom does not meet all the criteria for scheduling under the eight-factor analysis. Motion carried.

Roll Call Vote: Troy Alton-yes, Subhadeep Barman-no, Yvonne Bellay-yes, Alan Bloom-yes, Doug Englebert-yes, Sandy Koresch-yes, Robert Weinman-yes, John Weitekamp-yes, Lemuel Yerby-no.

MOTION: Lemuel Yerby moved, seconded by Troy Alton, although the Board voted that all eight factors were not met the Board's investigation raised significant concerns on some factors therefore the Board does not recommend any action to de-schedule kratom (mitragynine and 7-hydroxymitragynine (7-HMG)). Motion carried.

MOTION: Alan Bloom moved, seconded by Yvonne Bellay, to delegate the Chairperson to approve any letters to the Legislature relating to Kratom findings. Motion carried unanimously.

ADMINISTRATIVE RULE MATTERS

Review of Draft Biennial Report under S. 227.29, Wis. Stats

MOTION: Yvonne Bellay moved, seconded by John Weitekamp, to designate the Chairperson to serve as liaison to DSPS staff for drafting a report pursuant to Wis. Stat. 227.29 for submission in 2023, relating to administrative rules, and to authorize the Chairperson to approve the report for submission to the Joint Committee for Review of Administrative Rules. Motion carried unanimously.

Possible Affirmative Action Order: Excluding Fenfluramine from Schedule IV

MOTION: Sandy Koresch moved, seconded by Alan Bloom, to exclude by affirmative action Fenfluramine as a schedule IV controlled substance. The order shall take effect upon publication in the Administrative Register. Motion carried unanimously.

Possible Rulemaking Project for CSB 4

MOTION: Robert Weinman moved, seconded by Sandy Koresch, to request DSPS staff draft a Scope Statement revising CSB 4, relating to Monitored Prescription Drug History Reports. Motion carried unanimously.

REPORT FROM THE REFERRAL CRITERIA WORK GROUP

MOTION: John Weitekamp moved, seconded by Troy Alton, to accept the recommendations of the Referral Criteria Work Group and refer the specified providers to the appropriate examining boards for further proceedings. Motion carried unanimously.

ADJOURNMENT

MOTION: Subhadeep Barman moved, seconded by Alan Bloom, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 11:13 a.m.